

REMARKS

New claims 97-99 have been added in this paper, which supplements applicant's previous response filed on September 29, 2005. Claims 46, 56-59, 67, 70-76, 82-83, and 96 have been canceled in previous papers. Claims 1-45, 47-55, 60-66, 68-69, 77-81, 84-95, and 97-99 are pending in the present application after entry of this amendment. Reexamination and reconsideration of the application as amended are respectfully requested.

New claims 97-99 are directed to the separate, attachable thumb spica shown in FIGS. 24, 25, 26A and 26B of the application, and described on p. 16, ll. 26-30, and p. 17, ll. 1-15. The attachable thumb spica gives the wrist support a modular component, wherein a doctor at a clinic may stock in inventory a number of thumb spicas in different sized diameters and lengths. The doctor can then custom fit the thumb spica to each patient's thumb size for a comfortable but close fit.

Moreover, the custom-fit thumb spica is made of a rigid plastic that snaps and locks onto the rigid exostructure of the wrist brace (see application, FIGS. 26A and 26B, and p. 17, ll. 11-15). When worn by the patient, the rigid thumb spica provides stable support to help immobilize the thumb.

In contrast, the art cited by the examiner that suggests a thumb spica is U.S. Patent No. 5,782,784 (Wassermann) in, for example, FIG. 1 (thumb strap 46), or FIG. 7 (thumb strap 46 and cushioning pouch 32). However, the Wasserman strap and pouch do not completely circumscribe the patient's thumb as recited in new claim 97, nor do the thumb strap and pouch provide a "rigid wall," which rigidity in the present invention thumb spica immobilizes and fully supports the wearer's thumb. New claim 97 is therefore patentable over the cited art.

Moreover, the Wassermann thumb strap and pouch are not modular components. Although the strap is adjustable as to diameter, it is not customizable as to the length of the patient's thumb. On the other hand, the separate thumb spica of the present invention

can be selected for size and length to match the patient's thumb and snapped into place on the wrist support. This modular, custom-fit feature of the present invention wrist support provides an advantage not seen in Wassermann. Hence, the new claims are not obvious in view of the cited art.

U.S. Patent No. 4,854,310 (Lee) teaches a rigid, fixed stem 19 and ring 110 to immobilize the thumb (Lee, col. 4, ll. 9-11, and Fig. 1). Lee, however, does not teach a separate thumb spica that can be snapped or locked into place on the wrist brace. Hence, Lee does not teach "a mechanical lock joining the thumb spica" to the wrist support. New claim 97 is thus patentable over Lee.

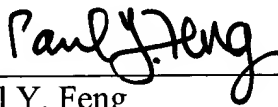
Since Lee does not show a separate thumb spica attachable to the brace, it like Wasserman, lacks the modular component of the present invention thumb spica which can be custom selected and fitted to the patient's thumb. The present invention has an advantage not taught in the cited art and is thus not obvious in view of that art. Applicant respectfully submits that new claims 97-99 are patentable over the cited art individually or in combination.

In view of the foregoing, applicant respectfully submits that all claims are now in condition for allowance. Reexamination and reconsideration of the application are respectfully requested and allowance at an early date is solicited.

Applicant's check for \$300.00 in payment of 1 new independent claim and 2 new dependent claims is attached. The Commissioner is authorized to charge Deposit Account No. 06-2425 for any unforeseen fees arising from the filing of this paper.

Respectfully submitted,

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